

REMARKS

New claims 17–19 have been added. Claims 1-19 remain in the application. Reconsideration of the application in view of the amendments and the remarks to follow is requested.

Claims 1, 3-6, and 11-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by Komoriya, et al. (5,025,284). Claims 2 and 7-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Komoriya.

Regarding the rejection against claim 1 as being anticipated over Komoriya, claim 1 recites mixing at least two inert gases in such a way that the reflective index resulting therefrom corresponds at least approximately to the refractive index of air. Komoriya teaches environmental changes such as temperature, humidity and atmosphere pressure affect the refractive index of lens in an optical projection system (col.2, Ins. 24-37). To maintain the “initially selected refractive index” of the lens at a constant during environmental changes, Komoriya teaches introducing nitrogen and oxygen in the tube 9 of the optical projection system at a suitable ratio (col. 6, Ins. 21-61). However, Komoriya never defines the “initially selected refractive index” (col. 6, Ins. 48-51), and therefore, **no relationship** can be stated to be taught or suggested between the suitable ratio of gases (nitrogen and oxygen) and the “initially selected refractive index”. Since no relationship is taught between a suitable ratio of gases and any specifically defined refractive index, it is inconceivable that a relationship can be stated to be taught or suggested between a mixture of gases provided in such a way to

corr spond to the refractive index of air. Consequently, in no fair or reasonable interpretation does Komoriya teach or suggest mixing at least two inert gases in such a way that the reflective index resulting therefrom **corresponds** at least approximately to the refractive index of air as recited in claim 1. Komoriya fails to teach or suggest a positively recited limitation of claim 1, and therefore, claim 1 is allowable.

Claims 2-10 and 17-19 depend from independent claim 1, and therefore, are allowable for the reasons discussed above with respect to the independent claim, as well as for their own recited features which are not shown or taught by the art of record.

Independent claim 11 recites a mixture of at least two inert gases being introduced into at least one internal space...whose refractive index resulting from the mixture corresponds at least approximately to the refractive index of air. Independent claim 12 recites at least two inert gases being passed into the internal space...in such a way that the refractive index resulting from the mixture of the gases corresponds at least approximately to the refractive index of air. Independent claim 15 recites a mixture of at least two inert gases being provided...in such a way that the reflective index resulting therefrom corresponds at least approximately to the refraction index of air. Independent claim 16 recites an exposure projection objective being flushed with the aid of a mixture of at least two inert gases in such a way that the refractive index resulting therefrom corresponds at least approximately to the refractive index of air.


Accordingly, each independent claim recites a mixture of gases having a reflective index that **corr sponds** approximately to the refractive index of air. As stated previously with respect to independent claim 1, Komoriya fails to teach or suggest any relationship between a refractive index of gases and the refractive index of air. Consequently, in no fair or reasonable interpretation does Komoriya teach or suggest the positively recited limitations of the respective independent claims, and therefore, such claims are allowable. Applicant respectfully requests allowance of such independent claims in the next office action.

Claim 13 depends from independent claim 11, and claim 14 depends from independent claim 12, and therefore, the claims are allowable for the reasons discussed above with respect to the respective independent claims, as well as for their own recited features which are not taught or shown by the art of record.

This application is now believed to be in immediate condition for allowance.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/020,561
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Inventor Joachim Schroeder et al.
Assignee Carl-Zeiss-Stiftung trading as Carl Zeiss
Group Art Unit 2851
Examiner Rodney Evan Fuller
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Title: System for Flushing at Least One Internal Space of an Objective

VERSION WITH MARKINGS TO SHOW CHANGES MADE
ACCOMPANYING RESPONSE TO JANUARY 21, 2003 OFFICE ACTION

The replacement specification paragraphs incorporate the following amendments. Underlines indicate insertions and ~~strikeouts~~ indicate deletions.

In the Claims

The claims have been amended as follows. Underlines indicate insertions and ~~strikeouts~~ indicate deletions.

There are no amendments to the claims.

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